



Before The
State Of Wisconsin
DIVISION OF HEARINGS AND APPEALS

In the Matter of the Wisconsin Public Service
Corporation (WPSC) – JP Pulliam Plant, Air
Pollution Control Construction Permit No.
13-DMM-177

Case No. DNR-14-040

PREHEARING CONFERENCE REPORT
AND
SCHEDULING ORDER

On January 27, 2015, a prehearing conference was held by telephone Jeffrey D. Boldt, administrative law judge presiding.

This report is filed pursuant to Wis. Stat. § 227.44(4)(b).

The PARTIES to this proceeding are certified as follows:

Department of Natural Resources (DNR), by

Attorney Kendra Fisher
DNR
PO Box 7921
Madison, WI 53707-7921

Wisconsin Public Service Corporation (WPSC), by

Attorney Brian H. Potts
Foley & Lardner, LLP
PO Box 1497
Madison, WI 53701-1497

Sierra Club and Midwest Environmental Defense Center (Petitioners), by

Attorney David Bender
McGillivray, Westerberg & Bender, LLC
211 South Paterson Street, Suite 320
Madison, WI 53703-3552

Based upon the representations of the parties, the following schedule is hereby ordered:

1. All dispositive motions, including motions for summary judgment, and accompanying briefs shall be filed by February 20, 2015. Response briefs shall be filed by opposing counsel by March 10, 2015. Any reply is due by April 15, 2015.

2. The parties to this proceeding shall exchange witness lists no later than July 17, 2015. These lists shall contain the names and addresses of the witnesses, the affiliations of the witnesses, and the general subject to be covered by the witnesses.

3. No discovery shall be undertaken prior to April 22, 2015. Discovery shall be completed by November 24, 2015. The usual rules of civil procedure shall govern time limits for discovery.

4. Any non-dispositive prehearing motions shall be filed by December 7, 2015.

5. The parties to this proceeding shall exchange exhibits and file a list of the same by December 7, 2015. Exhibits shall be bound and pre-marked as follows:

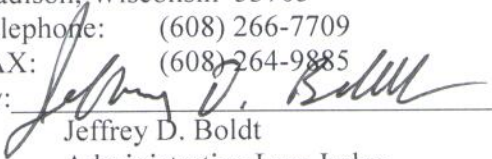
1-99	-	Petitioners
100-199	-	DNR
200-299	-	WSPC

6. The contested case hearing will commence at 9:00 a.m. on December 14, 2015, in the Hearing Room at the offices of the Division of Hearings and Appeals, 5005 University Avenue, Suite 201, Madison, Wisconsin. It will continue, if necessary, on December 15-17, 2015, at the same location. All witnesses who have filed testimony shall be present and made available for cross-examination unless all parties stipulate that such a witness need not be present. Rebuttal witnesses will be allowed if appropriate.

7. The parties have agreed to the following post-hearing briefing schedule. All initial briefs are due January 22, 2016, any replies by January 29, 2016.

8. In this order whenever the term "filed" is used, it shall be understood that this means received by mail or facsimile transmission by the Division of Hearings and Appeals and all other parties listed above.

Dated at Madison, Wisconsin on January 30, 2015.

STATE OF WISCONSIN
DIVISION OF HEARINGS AND APPEALS
5005 University Avenue, Suite 201
Madison, Wisconsin 53705
Telephone: (608) 266-7709
FAX: (608) 264-9885
By: 
Jeffrey D. Boldt
Administrative Law Judge